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10 *Attorneys for Appellee*  
11 *BRAIN POWER AMERICA, INC.*

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13 IN THE UNITED STATES DISTRICT COURT  
14  
15 DISTRICT OF NEVADA

16 In re DEBRA LEIGH JACOBS,

17 Appellant,

18  
19 BRAIN POWER AMERICA  
20 INCORPORATED,

21 Appellee.

2:15-cv-00533-JAD  
2:15-cv-00911-JAD  
2:15-cv-00912-JAD  
(Consolidated)

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23 **AMENDED STIPULATION AND ORDER TO EXTEND**  
24 **THE DEADLINE FOR BRAIN POWER'S REPLY BRIEF**

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26 **FIRST REQUEST**

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28 **WHEREAS**, the parties have collegiately since the scheduling of the consolidated briefing  
schedule herein in or about June, 2015;

**WHEREAS**, neither party has found it necessary to file a request an extension of time  
heretofore;

**WHEREAS**, the original proposed stipulation was solicited on October 28, 2015 and  
submitted to the Court on October 29, 2015, on a timely basis, to extend the deadline for Brain  
Power's final Reply Brief by two weeks;

1           **WHEREAS**, solely due to excusable neglect, counsel for Brain Power neglected to include  
2 the statements required under LR 6-1(b);  
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4           **WHEREAS**, this Amended Stipulation still seeks the first extension of time of any brief  
5 herein, and even that for only a two-week period;

6           **WHEREAS**, counsel for Brain Power has specifically requested this Stipulation insofar as  
7 the press of both professional and family matters precluded him having sufficient available time  
8 adequately research and address the issues raised in Jacob's most recent brief;  
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10           **WHEREAS**, those issues, included an out-of-town deposition trip and multiple additional  
11 depositions in town to comply with the Federal Court discovery deadline established in another case;

12           **WHEREAS**, additionally, counsel for Brain Power departed on his annual scheduled Fall  
13 vacation on or about October 14<sup>th</sup>, intending to return on the evening of the 18<sup>th</sup>, but was delayed  
14 and precluded from returning until the 20<sup>th</sup>;

15           **WHEREAS**, counsel for Brain Power has been dealing with discovery deadlines in two other  
16 major matters, and unfortunately is a sole practitioner and must attend to all these matters personally;

17           **WHEREAS**, counsel for Jacobs recognizes and understands the concerns of a small firm  
18 practitioner and is more happy to accommodate personal and professional needs, particularly where  
19 there is no prejudice to either party from a brief extension.  
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1           **IT IS HEREBY STIPULATED AND AGREED**, by and through the respective  
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3 undersigned counsel for the parties hereto, that Appellee, BRAIN POWER AMERICA  
4 INCORPORATED'S Reply Brief, presently due on October 29, 2015, be extended an additional  
5 two weeks to and until November 12, 2015.

6           DATED this \_\_\_\_ day of November, 2015.

7 JOHN W. MUIJE & ASSOCIATES

LAW OFFICES OF CHRISTOPHER P. BURKE

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10 By: /s/ JOHN W. MUIJE, ESQ.

By: /s/ CHRISTOPHER P. BURKE, ESQ.

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Attorneys for Appellant  
DEBRA LEIGH JACOBS

16           **ORDER**

17           Based on the parties' stipulation, IT IS HEREBY ORDERED that Brain  
18 Power America Inc.'s Reply Brief is DUE on or before November 12, 2015.

19           Dated: November 2, 2015.

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23 UNITED STATES DISTRICT JUDGE  
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